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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/710,776 11/09/2000 George J. Candella FRA175/189535 5507 22206 09/29/2004 **EXAMINER** 7590 FELLERS SNIDER BLANKENSHIP ELISCA, PIERRE E **BAILEY & TIPPENS** ART UNIT PAPER NUMBER THE KENNEDY BUILDING 321 SOUTH BOSTON SUITE 800 3621 TULSA, OK .74103-3318

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   Application No.   O9/710,776   CANDELLA ET AL					
## Examiner   Pierre E. Elisca   3621    **The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Editable to 1 time may be available under the previous or 37 CFR 1.136(a). In no event, however, may a reply be timely filed expendence of the many be available under the previous or 37 CFR 1.136(a). In no event, however, may a reply be timely filed expendence of the previous of the many and the previous or 37 CFR 1.136(a). In no event, however, may a reply be timely filed expendence of the provious of the previous of the	*		Application No.	Applicant(s)	
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available used the provisions of 3 CFR 1.136(a). In an overst, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. of 3 CFR 1.136(a) in an overst, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. If the provision is the satisfactor reply in spelling the statistics period will gain and timely and will expire SX (6) MONTHS from the mailing date of this communication. Fabrics to reply within the satisfactor reply in a file than these marines after the mailing date of the communication, when it is the mailing date of the communication, when it is application is a considerable private term adjustment. See 37 CFR 1.74(b).  Status  1)  Responsive to communication(s) filed on 12 July 2004.  2a)  This action is FINAL. 2b) This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1.32 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) 1.32 is/are rejected.  7)  Claim(s) is/are allowed.  6)  Claim(s) is/are allowed.  6)  Claim(s) is/are objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to see 37 CFR 1.121(d).  11)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)		Office Action Summary	Examiner	Art Unit	
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extractive of times true to exaliable under this provisions of 37 CFR 1.136(a). In so event, however, may a reply be timely filed control of the provisions of the provisions of 37 CFR 1.136(a). In so event, however, may a reply be timely filed control of the provisions of the provisions of 37 CFR 1.136(a). In so event, however, may a reply be timely filed control of the provision of the provisions of the provision of the provisio					
THE MAILING DATE OF THIS COMMUNICATION.  Extractions of the may be available under the provisions of 37 CFR 1.13(e). In no event, however, may a reply be timely filled after 5X (6) MONTIST from the mailing date of this communication.  If the period for reply specified shore is has then think (70) diarys, a reply within the value of reply communication or reply replicated shore is has the time of 100 diarys. The period of the reply will be subtracted to reply within the sell or celested publication.  Failure to reply within the sell or celested period for reply will be period for reply will be subtracted by the Office later than three modes after the mailing date of this communication, even if timely filled, may reduce any search platent term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filled on 12 July 2004.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-32 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are allowed.  8) Claim(s) is/are subjected to by the Examiner.  10 The drawing(s) filed on is/are: a) accepted or b) b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  13) All b) Some of the priority documents have been received.  2 Certified copies of the priority documents have been received in Application No.  1) Corrido copies of the priority documents have been received in			n appears on the cover sheet w	vith the correspondence address	
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2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-32 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) 1-32 is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to by the Examiner.  10)  The precification is objected to by the Examiner.  4pplication Papers  9)  The specification is objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)  Notice of References Cited (PTO-892)  3)  Information Disclosure Statement(s) (PTO-1449 or PTO-586)  5)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  5)  Notice of Informal Patent Application (PTO-152)	Status				
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Application/Control Number: 09/710,776 Page 2

Art Unit: 3621

## **DETAILED ACTION**

1. Regarding the status of the claims in the instant application, the Examiner has made an updated search and found new prior art. The Examiner is obliged to apply the newly found prior art. Thus, the finality of the prior Office action has been withdrawn and a new rejection follows. The examiner regrets the delayed process of the application.

Accordingly, claims 1-32 remain pending in the application.

2. Claims 1-32 are pending.

## Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1-32 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Tetro et al. (U.S. Pat. No. 6,122,624) in view of Anderson (5,884,289).

As per claims 1, 14-16, 24-27, and 31 Tetro substantially discloses a method/system for enhanced fraud detection in electronic purchase transactions from a remote site (which is readable as Applicant's claimed invention wherein it is stated that a method for detecting fraud non-personal transactions), comprising the steps of:

transmitting the purchaser's data to a fraud-detection system, the purchaser's data including a ship-to address for the transaction (see., abstract, specifically wherein it is

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stated that an electronic purchase is prompted to input the user's billing address and social security number, col 5, lines 47-59, the enhanced fraud detection system 10); processing the purchaser's data to determine whether the transaction is potentially fraudulent (see., abstract, specifically wherein it is stated that a determination is made whether the account associated with the social security number has been authorized for use, col 2, lines 39-61, please note that the process of matching the user's billing address and social security number is disclosed in the abstract, wherein said that a user at a remote terminal attempting to conduct an electronic purchase is prompted to input the user's billing address and social security number, where this information is used to verify the billing address of the user. Initially, the input social security number is communicated to a local account database containing information about customers as identified by their social security number).

It is to be noted that Tetro fails to explicitly disclose the step of returning the relative risks of fraudulent activity associated with the transaction. However, Anderson discloses a computer based system that alers financial institutions to undetected multiple debit vard fraud conditions in their debit card bases by scanning and analyzing cardholder debit fraud information. The result of this analysis is the possible identification of cardholders who have been defrauded but have not yet realized it, so they are at risk of additional fraudulent transactions (see., abstract, col 4, lines 7-29). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the fraud detection of Tetro by including the limitation detailed above as

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taught by Anderson because this would determine the dimension of fraud based on risk activity.

As per claims 2-6, 12, 18-22, 28, 30 Tetro discloses the claimed method wherein the processing step comprising parsing out the purchaser's ship-to address (see., abstract, col 39-61, specifically wherein it is stated that inputting the user's address).

As per claim 7, Tetro discloses the claimed method wherein the ship-to address checking step comprises checking the area code of the purchaser's phone number to determine if fits the geographic area of the ship-to address (see., abstract, col 39-61).

As per claims 8-11, 13, 23, 28, 29, Tetro discloses the claimed method wherein the ship-to address checking step comprises comparing the purchaser's ship-to address against the national of address service database or the publisher's change of address database (see., col 5, lines 61-67, col 6, lines 1-42, figs 2, 4, and 5, item 500).

As per claims 17, and 32 Tetro discloses the claimed method wherein the step of calculating comprising a score based at least in part upon the likelihood that the transaction is fraudulent (see., col 5, lines 47-60, please note that the step of calculating a score is equivalent a threshold check).

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**RESPONSE TO ARGUMENTS** 

5. Applicant's arguments filed on 07/12/2004 (Appeal Brief) have been fully

considered but they are moot in view of new ground (s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Pierre E. Elisca whose telephone number is 703

305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 703 305-9769. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

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Pierre Eddy Elisca

Primary patent Examiner

September 27, 2004